

Manville Fire District – Approved Minutes April 21, 2015

Date of Meeting: April 21, 2015

Time of Meeting: 7:00pm

Place of Meeting: Manville Fire Department

112 Old Main Street

Manville, RI 02838

1. Pledge of Allegiance – Lead by Chairman Lake

2. Roll Call of Officers-

Present – Warden Ron McKenna

Warden James Akers

Warden Jerry St Germain

Chairman Bob Lake

Chief Peter Adam

Clerk Lee Lamothe

Absent – Warden Paul McKeon

3. Motion to approve previous meeting minutes

Warden St Germain makes a motion to accept the minutes of the March 10, 2015 regular meeting as presented, seconded by Warden McKenna. No discussion. Approved 4-0-0.

4. Reports

a. Chairman Report & Communications – Chairman Lake mentions

spending a lot of time on the Attorney General inquiry from the February 2014 complaint. The ruling was against us and we will be fined. An additional complaint was brought to our attention today. We will continue to deal with these as they come in but bills and fines so far are over \$40,000 and the activity continues to increase. MFD will probably be over budget for legal fees in 2015 and that may affect the tax rate going forward. Warden St Germain points out that these violations occurred with prior boards.

b. Treasurer and Tax Collector Report – Treasurer McKenna says that the fire district has collected 89.4% of the taxes it is owed for 2014. Delinquencies total \$113804.54. Notices of tax sales went out for 5 properties. The first ad was placed in the Valley Breeze. The Treasurer has also included a statement of Assets which has a balance of \$732,190.02 for April 2015. He also presents his report that shows we have expended \$180,573.55 from the current fiscal year budget with \$149,504.45 remaining for the year. Legal bills for 2015 are coming in higher than expected. We will soon exceed the budget and contingency for legal and will have to go to the taxpayers to hold a special meeting for that line item.

1. PROPOSED ABATEMENTS

PROPOSED ABATEMENTS: The total is \$120.00 and is primarily composed of 4 non Manville addresses..

Motion by Warden St Germain to accept the Treasurers/Tax Collectors Report and abatements, seconded by Warden Akers.

Approved 3-0-1(McKenna)

c. Chief's report –. There were 60 runs – 50 in Manville, 7 in Albion, and 3 Woonsocket. We averaged 8.1 firefighters per call. Trainings – A total of 4 training nights (10.5 hours) were held.

Motion made by Warden St Germain to accept the report as written second by Warden McKenna. Call for vote, Approved 4-0-0.

d. Auditors report – Tax Collector/Treasurer McKenna has been in contact with the Auditor doing our annual compilation. He is working with the information provided and hopes to have a report by next month.

5. Payment of Bills

Chairman Lake reads all the bills out loud. The total is \$10,922.85. Account #5115 for Narragansett Bay Sewer included a check for \$128.06 which should be for \$9.37. The revised total is \$10,804.16. A motion to accept bills was made by Warden Akers and seconded by Warden St. Germain. Approved unanimously 4-0-0.

6. Income

**Total of \$60.00 this month this was for smoke detector Inspections
Motion made by Warden Akers and second by Warden St Germain to approve the income report.**

Approved 4-0-0.

7. Old Business

a. Policies and Procedures Sick Time Policy/ Abatements and Record Retention

The Chairman says he is not prepared tonight to discuss agenda items a, b, or c.

b. ADA Building Study – Update

The Chairman says he is not prepared tonight to discuss agenda items a, b, or c.

c. Clerks responsibilities and compensation

The Chairman says he is not prepared tonight to discuss agenda items a, b, or c.

A motion was made by Warden McKenna to table agenda items a, b and c until the May meeting. Warden St Germain seconds. Approved 4-0-0

d. Utility Truck – Update

Chairman Lake tells the wardens and public present that the MFD contacted several vendors across the country and placed an advertisement in the Valley Breeze. The Chief says that we had seven vendors that responded to the RFP. Only one of them has the specified truck in stock, or correction, has the chassis in stock. That vendor is North East. One vendor modified the specification slightly (size of truck) to match what they had available, this quote was for a larger truck and is the highest price on the spreadsheet. The Chief feels that time is an important factor when considering the prices quoted because we have a serious problem with Engine 10 that needs

to be addressed. North East can guarantee the truck in 60-90 days. Once that truck is available the Chief can have the problems with Engine 10 looked at. He feels that the problems may be serious enough that another taxpayer meeting to approve the repairs may be needed. There is some discussion about the pro and cons of the other quotes. The Chief says that North East may not even have that chassis in stock anymore and he will check with them as soon as he is given the approval. Warden McKenna discusses the pros and cons of a diesel vs. a gas engine. There were two quotes that were for a gas engine and they were included even though a diesel engine was specified.

The Chairman asks how the board wants to proceed. Warden McKenna makes a motion to present to the taxpayers a proposal to purchase the truck at a maximum cost of \$118,734 and the board require a performance Bond. Lake suggested the district obtain the bond directly. McKenna amends his motion to be \$118,734 plus the cost of the bond. Seconded by Warden St Germain. Discussion of the price approved in motion. Chairman Lake tells the board that because of time restriction and our lack of sureness about the availability of the chassis from North East, if is not available we will have to start the process again. There was a motion from McKenna and a second by St Germain to propose the purchase of the truck from North East at a maximum cost of \$118,734 plus the cost of a performance and payment bond and subject to a public vote at a taxpayer board meeting.

The Chairman asks the Chief to describe what is driving this purchase of a new truck? The Chief explains that the rear body of the Engine 10 is dropping down because of rot. The mechanic said it has to be taken off the road soon. An estimate to repair it has come in @\$20,000. We need an additional truck to have enough apparatus to get our men to a scene while our engine is being repaired. Warden Akers asks about the possible merger and what will happen to the apparatus then. He was told that the merger could be years away and then it would become an asset of the town.

There was a motion from McKenna and a second by St Germain to propose the purchase of the truck from North East at a maximum cost of \$118,734 plus the cost of a performance and payment bond and subject to a public vote at a taxpayer board meeting. Motion Approved 4-0-0.

Chairman Lake has an agenda item listed to accept public input on this truck approval.

Paul Armstrong points out that the quote from North East is from the end of January. The Chief says that he knows and that is why he will have to call them tomorrow to see if the truck is still available. He asks about the price that will be put to the public and says it will be more than the price if we are getting a bond. The Chairman says that the motion was for the price and the bond. We will know the cost of the bond before it goes to the taxpayers. Paul then asks about the intention for the new truck. He is told that it is not a replacement for the Engine it has no water and is a response vehicle only.

Taxpayer Cheryl asks if we need to pay more than the \$118,734

because of sales tax. The Chairman explains that the MFD is tax exempt. Another taxpayer Rhonda Lacombe asks if this new truck is to replace the Engine. She is told that it is not. This truck is needed to assist us while the engine is being assessed and possibly repaired. The repairs could take up to 3 months. She then says if it is such an emergency why don't we get the more expensive truck. The Chief says there are other issues with the more expensive truck it is bigger, 12' box vs 10' which was specified.

Paul Armstrong says the specs distributed say a gas engine. The Chief and Chairman explain that was an error, it was the original spec before it was updated to diesel engine. Paul says the quote from North East was for a gas engine and the Chief again explains that it is for a diesel. The Chairman explains that the quotes received were based on the RFP that went in the Valley Breeze.

A motion to schedule a special taxpayers public meeting for the purpose of approving the purchase of the Northeast utility truck. This meeting will be held on Tuesday May 12 at 7:45PM. Motion made by Warden McKenna and a second by Warden St Germain. Approved 4-0-0

8. New Business

a. Reminder to all MFD Wardens to submit their RI Ethics filing

Chairman Lake offers a reminder to all MFD Wardens to submit their RI Ethics filing

b. AG Lawsuit and pending fine/penalties

No update from our attorney yet. He is working on a written response

9. Public Comment

Paul Armstrong says that in 2012, the Chairman of the MFD board told the public that the insurance company would pick up all the legal fees with regards to the lawsuits and now our bills are around \$40,000. Were the taxpayers lied to? The Chairman says that he has made this situation very clear at every board meeting. The Chairman explains that one action the Desmaris Whistleblower case is being handled by VFIS and their Attorney Mary McBurney. The district has been responding to multiple legal issues that may or may not be part of the Whistleblower case. This has been going on since 2012 and the insurance company is only covering one suit.

Taxpayer Cheryl asks if we could change the time of the Special Taxpayer meeting to an earlier time for the elderly and children.

10. Executive Session – in accordance with RIGL subsection 42-46-5(a)2 litigation issues Desmaris and APRA. Response: No motion made to go into Executive Session. Chairman said it was not needed tonight.

11. Motion to Adjourn @ 8pm

Motion to adjourn by Warden St Germain at 7:57 PM, seconded by Warden McKenna, motion approved 4 - 0 – 0

Date Agenda Posted SOS: 4/18/2015

Date of Meeting: 4/21/2015

Posted : SOS,MFD Station, Manville Post Office,

Minutes submitted to Board: 5/12/2015

Draft Minutes posted on SOS: 4/25/15

Approved Minutes: 5/17/15

____**Bob Lake**_____

____**Lee**_____

Lamothe_____

Chairman

Clerk